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KEN WEBER, CHAIR

CHUCK NOTBOHM

TOM LYTHGOE

**PROCEEDING OF THE BOARD OF COMMISSIONERS
COUNTY OF JEFFERSON, STATE OF MONTANA
November 13, 2007**

Present: Commissioners Lythgoe, Notbohm and Weber; Harold Stepper and Mike Hoffman, County Planners; Kellie Doherty, Personnel Officer; Joe Carter, Road Supervisor; Bruce Suenram, Fire Logistics; Tim Burie, Morrison-Maierlie; Deb Buxbaum, Linda McCauley, Dave Labor and Mark Larson, Helena Job Service; Glen Blalock

MINUTES

Commissioner Weber moved to accept the minutes of October 23. Commissioner Lythgoe seconded. The motion carried.

Commissioner Weber moved to accept the minutes of October 30. Commissioner Notbohm seconded. The motion carried.

REPORTS

Receipt of October cash report from the Treasurer.

CALENDAR REVIEW

- 11/13 Library Building Committee meeting - 7:00
- 11/14 Planning Board - 7:00
 - Elkhorn Mine Working Group - 7:00
- 11/15 Safety Committee - 9:30
 - Headwaters - Butte - noon
 - MTAG - 5:00
- 11/19 Meeting with Putnam & Associates - 11:00
 - MACo FireWise meeting - 1:30
- 11/20 South Helena Interchange ribbon cutting - 11:00

COMMISSION REPORTS

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VANDALISM COMPLAINT

Commissioner Lythgoe stated that he got a call late Friday that Derrick Whiting was in the Commission office and his gate and a portion of fence had been torn down. Joe Carter stated that he hasn't heard anything. Commissioner Weber stated that he contacted law enforcement while Derrick was still at the office and they were going out to look at the damage.

CANVAS OF CITY ELECTIONS

Commissioner Weber stated that he and Commissioner Lythgoe canvassed the elections for the Whitehall and Boulder city elections on Thursday.

CTAC

Commissioner Weber reported that he attended a CTAC in Whitehall. There is a little hiccup in the process with DEQ as far as permitting to continue their 5-C expansion. The problem is that if they don't get it soon enough, they could be facing some lay-offs.

HEADWATERS RETIREMENT

Commissioner Weber reported that he went to Janice Copeland's retirement party on Thursday night. She will be leaving Headwaters RC&D at the end of the year.

FOREST SERVICE ROAD TOUR

Commissioner Weber reported that the Commissioners and local fire department and Search and Rescue personnel went on a Forest Service tour in the Rowe Gulch area on Friday. The Forest Service agreed to work with the local fire departments, search and rescue and the Commission in regards to removing road blockages. He stated that it was a good walk.

ELECTED OFFICIAL/DEPARTMENT HEAD CONCERNS

Commissioner Lythgoe stated that the Safe Route to Schools trails group in the Montana City area is looking at a grant that is available through MDT. It is a \$50,000 grant with no match required. A government entity has to apply for the grant. The initial desire was to have the school do that. Talked to the superintendent this morning, and he doesn't feel that the school board will be in favor of doing this. The grant is due 12/31, so this will need to be on the agenda fairly quickly. The local group plans to continue to maintain whatever is developed. Commissioner Lythgoe stated that he also talked to Casey Askin today, and he is hoping that we would move forward with this. He is asking that we get this on an agenda to discuss it and he can get the information to the Commission in the interim.

CORRESPONDENCE

Commissioner Weber stated that the Commission has received Task Order 21 from Great West Engineering. This was discussed in the previous week's meeting, but they did not have this document at that time. The figure discussed at the previous meeting was \$20,000, but the maximum amount it will cost for the engineering is \$25,900.

SUBDIVISION REVIEW

PRELIMINARY PLAT APPROVAL – COUNTRY MEADOW ESTATES

Mike Hoffman, County Planner, presented his staff report on this major subdivision located northeast of Montana City. The parcel contains 50.492 acres to be divided into 20 lots ranging in size from 2.004 acres to 3.601 acres. Parkland dedication is required, and 3.13 acres have been dedicated as parkland. The Montana City Volunteer Fire Department has requested an expandable water supply facility. The developer will be required to provide a 30,000 gallon fire fighting water supply system. The on-site water supply system must utilize piping, tank or tanks, a hydrant, power supply and a pumping system to keep the tank or tanks full. A perpetual easement for use of the fire district will be noted on the final plat. Mike recommended that preliminary plat approval be granted.

Joe Carter stated that there are a couple issues that weren't brought up. The first culvert off of 282 isn't quite the right size; it needs to be a bit bigger. The road will also need to be improved to meet county standards. Commissioner Weber stated that as far as the size of the culvert, does the engineered plan address that. It was stated that they do not. Commissioner Weber asked for clarification. Joe Carter stated that this is a recommendation from the road crew. They are familiar with the roads in the area, and feel that a larger culvert is needed to handle the run-off that occurs.

Commissioner Weber asked the engineer if he could address the need for a larger culvert. Commissioner Lythgoe noted that Condition of Approval 8 does speak to the road that connects to 282 and it being brought up to road standards. Tim Burie from Morrison-Maierlie stated that a retention pond will be constructed and will address increased run-off created by the development.

Commissioner Lythgoe noted that Montana Department of Transportation will not permit on 282; they have made it clear that it is our responsibility to permit on 282. The approach is existing and already 24 feet, so there should be no problem. Tim stated that they could upsize the pond so that there is no run-off. Glen stated that he has lived there for 30 years and has never seen water over the road at the point in question. A new, larger culvert was put in about 10 years ago.

Mike stated that he spoke with Rick Abraham that morning. There is already a signed agreement with the fire department. Rick also indicated that the County had agreed at some point that they are going to move tanks from Pronghorn Hills. Commissioner Lythgoe stated that he isn't even sure that it has been decided that the County is going to move that fill site that is in Pronghorn, because when Joe looked at it, it was felt that the Pronghorn site could be made to work. We're not sure we are going to be digging that tank up. Bruce stated that we need to remember that the site in Pronghorn is designed to be an overhead fill, not a fill off of a hydrant.

Commissioner Lythgoe moved to grant preliminary plat approval. Commissioner Notbohm seconded. Commissioner Notbohm stated that after the discussion today, something should be added regarding the size of the pond. Commissioner Weber stated that we will need to change the conditions of approval. Mike stated that we don't address storm water, as this comes under DEQ. Commissioner Weber called for the question on granting preliminary plat approval as

conditioned. The motion failed. Commissioner Lythgoe stated that he doesn't feel that this is an issue.

Commissioner Weber moved to grant preliminary plat approval upon condition of adding to Condition of Approval 8 that the storm water detention pond in open space #1 not to exceed the flow capacity of a 24-inch culvert. Commissioner Lythgoe seconded. The motion carried.

Glen thanked the Commissioners for being very professional in dealing with this.

FINAL PLAT APPROVAL – TRAVIS CREEK MINOR

Mike Hoffman stated that the developer is not in attendance, and he doesn't have the plat documents. This will be put off until the information has been received.

ITEMS FOR COMMISSIONERS ACTION OR REVIEW

HELENA JOB SERVICE - PROGRAM UPDATE

Deb Buxbaum, Manager of the Helena Job Service Workforce Center, stated that she is coming before the Commission to give an update. They have done some restructuring and reorganizing. They are operating by regions now, and the area covered by the Helena region covers Butte, Anaconda, Dillion and Bozeman, and Boulder. They would like to entertain coming out once a month to meet with people. Job Service has services that some people may not be aware of - mock interviews, state application classes, etc. They also work with employers. They are wondering if there is space available to meet with people once a month, and also to get feedback from the Commission.

Commissioner Weber stated that Boulder is very centrally located within the Helena Region, so they should consider just moving their office here.

Commissioner Notbohm stated that it is going to be more and more of a problem with job opportunities with the rising costs of fuel and the availability of jobs and housing. It will be challenging for everyone concerned.

Commissioner Weber asked about staffing a part-time space, if they will need storage facilities or just a place to meet. Deb stated that all they would require is just a semi-private place to meet for a morning or afternoon. Commissioner Weber stated that we have several places that could be utilized and we would be very happy to facilitate this.

Dave Labor stated that he works with employers with anything related to employees, employment law to human resources. Linda McCauley stated that she is an employment consultant. She noted that the internet has really changed things, but they are still able to provide services – career exploration, or there are some that aren't internet-savvy or don't have internet access.

Commissioner Lythgoe noted that the only problem with using the law library as a meeting space

is that there can be some scheduling conflicts. Kellie Doherty stated that the County Attorney's office tends to use it a lot. Commissioner Lythgoe stated that he is guessing that for as little time as they are talking about, may be able to talk to the judge about using some of his space. Deb left her contact information.

DISCUSS AND DECIDE ON PARTICIPATION IN NATIONAL COUNTY GOVERNMENT WEEK

Commissioner Weber stated that the Commission received an e-mail regarding National County Government Week, to be observed April 6-12, 2008. This year's focus is "Protecting Our Children". Commissioner Weber stated that some things that immediately come to mind is the meth program that we have been involved in, the 21st Century program. He stated that if we decide to participate, there are a lot of things that we could do. Commissioner Lythgoe stated that he thinks it is a good idea. We can do a proclamation, and get something in the local papers related to what counties do in this regard.

Commissioner Weber moved to participate in National County Government Week. Commissioner Lythgoe seconded. The motion carried.

RESOLUTION 27-2004 AMENDED

Commissioner Weber stated that we yearly give Bonnie and her office the authority to pay certain claims automatically. She brought to his attention that the Health Board is not autonomous, so the Commission should approve them. Commissioner Weber moved to adopt the resolution. Commissioner Notbohm seconded. The motion carried.

RESOLUTION 34-2007

Harold Stepper, County Planner, explained the intent of the resolution.

Commissioner Lythgoe stated that the Commission received a fax earlier in the day asking that the resolution be rejected. 29 signatures are attached on a petition asking that the property remain with the county. Also attached was a letter from former County Commissioner Glenna Obie. He also read an e-mail from Beverly Neubel that he received that morning. Commissioner Weber asked if he has heard anything else from the Montana City Ranches Commercial subdivision; he has heard that some of the business owners weren't supportive of this either. Harold stated that he hasn't heard anything further than the initial contact.

Commissioner Notbohm stated that we have discussed parkland issues in the past and why the County would want to own all of these parcels. Harold stated that this has been attempted twice at the legislature, the ability of counties to require cash-in-lieu rather than having to take the parkland. However, after the last session we have to take it on minors again, so we are slipping backwards. Commissioner Weber stated that we would have the opportunity when we get the inventory done to get rid of some of the small parcels and then could maintain some of the bigger parcels for public use.

Commissioner Lythgoe moved to reject this resolution. Commissioner Weber seconded. The

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motion carried.

DISCUSS AND DECIDE ON FUNDING SOURCE FOR PURCHASE OF THE WAGNER BUILDING

Commissioner Lythgoe stated that he has spoken with Bonnie, and he would move to get a loan from the general fund to pay for the building and that we pursue what further to do with the building. Commissioner Weber seconded. The motion carried, with Commissioner Lythgoe and Commissioner Weber voting aye and Commissioner Notbohm voting nay.

DISCUSS AND DECIDE ON LEASE AGREEMENT FOR THE WAGNER BUILDING

Commissioner Weber stated that he spoke with the Wagners several weeks ago. They came up with the figure of \$750/month for a six month lease, with a one-month renewal if needed. They need this time to build their new facility.

Commissioner Lythgoe moved to have the County Attorney draft a lease with that figure and conditions and move forward. Commissioner Weber seconded. The motion carried.

CLAIMS APPROVAL

Claims were reviewed for approval. There were no comments to any of the claims.

MEETING ADJOURNED

ATTEST:

BONNIE RAMEY
CLERK AND RECORDER

KEN WEBER, CHAIR

TOMAS E. LYTHGOE, COMMISSIONER

CHUCK NOTBOHM, COMMISSIONER